

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE G. SIMMONS,

Defendant.

ORDER

09-cr-122-bbc

On April 9, 2021, the court granted in part defendant Andre Simmons's motion for relief under the First Step Act, reducing her prison sentence of 240 months to 150 months, which taking into account good time credits is likely to equate to time served. Dkt. #377. However, the court failed to consider the fact that defendant did not submit a proposed release plan. Accordingly,

IT IS ORDERED that the order previously entered by this court on April 9, 2021, dkt. #377, is AMENDED as follows:

1. The last sentence on page 1 is struck and replaced with the following sentence: "For the reasons that follow, I conclude that defendant's prison sentence should be reduced as outlined below."

2. The first paragraph of the order language on page 6 is struck and replaced with the following paragraphs:

Defendant Andre Simmons's motion for relief under the First Step Act, dkt.

#371, is GRANTED to the following extent:

- a. Defendant's sentence is reduced to time served, as of May 20, 2021, so long as space is available in a residential reentry center by that date. If there is no space available at such a center as of May 20, 2021, the Bureau of Prisons is to release defendant as soon as space becomes available.
- b. Defendant's term of supervised release remains unchanged. Defendant has no release plan and has been incarcerated for a lengthy period of time. The conditions of defendant's supervised release are modified to include the following additional condition to assist with defendant's transition into the community:

Defendant is to spend the first 180 days of supervision in a residential re-entry center. Defendant may be absent from the center for employment purposes, for mental health counseling and treatment and for passes consistent with program rules. Defendant is to pay her own medical expenses, if any, and is to pay 25% of her gross income toward the daily cost of his residence. Defendant may be discharged early from the program facility upon the approval of both the facility administrator and the supervising U.S. Probation Officer.

- c. Defendant's motion is DENIED in all other respects.
3. The previous April 9, 2021 order remains as entered in all other respects.

Entered this 12th day of April, 2021.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge